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TAGS: [MARR](#) [ETTC](#) [PREL](#) [PGOV](#) [KPIR](#) [XO](#) [SO](#) [FR](#)  
SUBJECT: MARITIME SECURITY SECTOR REFORM AND HORN OF AFRICA  
PIRACY: CONSULTATIONS WITH THE FRENCH (NOVEMBER 13)

Classified By: Andrew Young, Political Counselor, 1.4 (b/d).

11. (C) SUMMARY: A French inter-agency team expressed keen interest in USG ideas on piracy and Maritime Security Sector Reform (MSSR) during PM/PPA Donna Hopkins's November 13 consultations in Paris. The French agreed to provide constructive feedback on the MSSR matrix under development by State and USAID and to serve informally as a bridge with the EU to promote a complementary approach to the matrix regarding terminology and its eventual applicability. The French expressed reservations about more robust kinetic action in or near Somalia but seemed to lean toward more proactive responses on the high seas. There was general agreement on such matters as detaining and prosecuting pirates (including support for Kenya), the need to disrupt pirates' financial arrangements, the possible need to address insecurity in the Gulf of Guinea, and the desire to improve intelligence sharing on both sides. The meeting augured well for continued close U.S.-France cooperation on piracy and related MSSR concerns. END SUMMARY.

12. (C) MFA Anti-Piracy Coordinator Chantal Poirer on November 13 hosted PM/PPA Donna Hopkins and Embassy AF-assistant to a four-hour discussion of Maritime Security Sector Reform (MSSR), piracy, and related issues. The French side (11 in total) consisted of several naval officers, civilian naval and MOD experts, representatives from the Prime Ministry and the Ministry of Transportation, an IMO expert, an MFA legal expert, and an officer from the MFA's EU office. (Notably, the MFA's Africa Bureau was not represented.) The first session focused on Hopkins's explanation of the MSSR matrix that her office and USAID counterparts are involved in developing, with discussion broadening during a working lunch. A smaller group session followed the lunch, highlighting the French Navy's interest in expanding bilateral information and intelligence sharing.

MSSR and the Matrix

13. (C) After opening pleasantries, Anti-Piracy Coordinator Poirer invited PM/PPA's Donna Hopkins to brief on MSSR and especially the matrix the USG has been developing as a tool for carrying out MSSR. Hopkins explained that the matrix was intended to serve as a tool for conducting a comprehensive assessment of a country's ability to provide what we would recognize as maritime security, including underlying or associated factors not immediately associated with the maritime sector. The matrix could be used as a self-assessment tool by countries seeking assistance; by donor countries considering offering assistance, or by donor countries and organizations to deconflict and prioritize their bilateral or regional assistance efforts. Hopkins

welcomed French ideas on how to complete and improve the matrix, which Poiret and the others said they would be happy to provide.

14. (C) Poiret stated the need to consider the matrix and MSSR within the EU context, as the EU was itself working on improving maritime security. (Hopkins had previously briefed the EU Political Military Group, as well as members of the Commission and Secretariat, on MSSR, and met with a favorable reception in Brussels.) Expressing interest in the matrix concept, Admiral Bruno Paulmier (Deputy Secretary General for the Sea at the Prime Ministry) said that neither France nor the EU had developed a comprehensive view of maritime security from a law enforcement perspective and that any such policy tended to be "ad hoc." He said that France lacked a centralized, coordinated mechanism, with much management delegated to local "prefets maritimes." Paulmier indicated that he would welcome a unifying force such as the matrix to bring order to France's approach (as well as that of the EU) to maritime security.

#### French and EU Efforts at Developing a Unified Maritime Policy

15. (C) Samer Melki of the MFA's Common Foreign and Security Policy office, expanded by describing France's efforts to promote a comprehensive approach to maritime security within the EU. The EU's many "competencies" provided a flexible framework for a comprehensive approach but much work remained. Melki described two areas of progress -- operationally, with Operation Atalanta, and an internal

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reflective process. Atalanta represented a big step in terms of operating outside the EU's immediate area, and it broadened the concept of pro-activity by seeking to protect EU citizens and property abroad. Melki described movement within the EU to harmonize and unify policies, which the Lisbon Treaty would facilitate, so that there could be an overarching policy covering fisheries, migration, trafficking, crime, and other such factors bearing on maritime security. At least that was the hope, he explained. He repeated that while this process seemed promising, it was still in a relatively early stage.

16. (C) Tsiporah Fried (Navy Staff HQ Senior Advisor for Strategy and Policy) agreed that Europeans were moving toward an integrated maritime policy, which she welcomed. She thought it important (and Hopkins agreed) on developing a standard terminology to employ in the matrix and more generally. She said that the GOF preferred using IMO terminology as a base line. Hopkins stated that the U.S. NSC staff had reacted favorably to the matrix and MSSR approach, and considered them consistent with President Obama's broader strategic concept and the U.S. National Maritime Strategy. She described how the issue was being treated within the USG interagency process. Responding to a question, Hopkins discussed possible "custodians" of the matrix, which would require effort to maintain its currency. The existing Contact Group, or perhaps a UN entity, could serve as a custodian. The French said that the IMO might be the best custodian of the matrix. Hopkins reserved judgment on the IMO as custodian. All finally agreed that for the time being, the Contact Group might be the best choice, but that, in the meantime, the USG would continue to pursue the initiative.

#### Legal Considerations

17. (C) MFA legal expert Annick Mathis recalled the need to define a legal basis for the matrix and any action that might emerge from it. On piracy itself, she described how French law was being amended so that the GOF could take action against pirates even if a French ship, individual, or company were not involved in an incident. The Law of the Sea framework could be useful in determining legality. Hopkins

agreed on the need for a legal framework, especially regarding taking suspects into custody and then prosecuting them. Poiret noted the unique position of Kenya at present. France was presently detaining 25 accused pirates. Poiret said that France was working to obtain agreement from the Seychelles to try pirates there. France also had the agreement of the Somalia TFG and local authorities in Puntland to turn over suspects to Puntland's control, with Puntland having provided assurances that it would treat suspected pirates humanely and not subject them to the death penalty.

#### Stabilizing Somalia

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¶8. (C) Discussion turned to efforts to stabilize Somalia, with Poiret expressing the GOF's long-standing view that piracy in the region would not disappear until some form of stability emerged on the ground in Somalia. Both sides recognized the need to ensure that foreign assistance not inadvertently serve as a "subsidy" for pirates. The French described their program to train 500 Somali security forces in Djibouti, a project that was nearing its end. France hoped to engage other EU members in this project. Melki commented that it would be very difficult to assign a maritime security role to AMISOM.

#### Gulf of Guinea

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¶9. (C) Poiret said that the GOF was conducting an internal study on insecurity in the Gulf of Guinea and was ready to discuss possible actions that could be taken there to respond to the region's maritime problems, which were unlike those in Somalia's environs and which revolved around the petroleum industry. Melki commented that the matrix, once further developed, could be used to analyze and provide solutions to the Gulf of Guinea's problems. Poiret thought that Nigeria would be an excellent vehicle for application of the matrix.

#### International Trust Fund Board Meetings

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¶10. (C) One area of slight U.S.-France disagreement concerned the venue for ITF board meetings, with Poiret pushing for Nairobi and Hopkins arguing for another venue, on the grounds that meetings in Nairobi would distract Kenyan bureaucrats from pursuing productive work rather than hosting meetings. Poiret said she understood the point but responded that the French Embassy strongly recommended Nairobi.

#### Small Meeting -- Kinetic Action

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¶11. (C) Following the lunch, the meeting continued with reduced participation, with the non-MFA and non-uniformed MOD officials not participating. The French seemed to harbor the impression that the USG was contemplating kinetic action against pirates in Somali territory. Hopkins stated that such action was unlikely to comport with larger USG strategic interests in the region, and could in fact be counter-productive. Naval Captain Jean-Nicolas Gauthier (Joint Staff, Center for Planning and Operations) said that it was "difficult to think about Somalia" (i.e., operations on the ground) and that French thinking "stopped at the shore."

¶12. (C) Gauthier stressed that there were always risks of escalation and retaliation in response to increased activity against pirates. France preferred keeping a low profile. Mentioning U.S. UAVs stationed in the Seychelles, he asked that the U.S. provide more intelligence if possible, which could allow for more preventive measures and less conflict. Gauthier did say that the GOF was willing to take more robust action if French hostages, for example, were involved, and he cited previous cases where the French had used force to free French hostages. Hopkins expressed doubt that the USG would consider taking action on land in the absence of a dramatic

change in the overall situation.

¶13. (C) There was general agreement that a more aggressive response might be permitted in open waters, against, for example, mother ships. Gauthier said the GOF was developing rules of engagement to cover the various situations that French forces could encounter. Hopkins was wary of the recent call by the Spanish Defense Minister for a "blockade" of Somalia's ports, which could be construed as an act of war. Gauthier said the French preferred speaking of an "embargo" or "control" of port activities rather than a "blockade."

¶14. (C) Hopkins, referring to the search for a comprehensive structural framework for addressing piracy issues, said that it would be good to have a consistent policy on what to do with pirates once apprehended with respect to maintaining and transferring custody, seizing weapons and ships, and disposing of them under an agreed-upon procedure.

Comment

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¶15. (C) We were favorably impressed by the way Poirer organized the meeting, with a broad range of French experts who knew their subjects. The French did as good a job listening to (and taking real interest in) Hopkins's presentation as they did in explaining their own views. French interest and hope for working closely with the U.S. were evident, and participants seemed genuinely interested in the matrix, despite its complexities. We expect that the French will continue to want to work closely with us on piracy issues and would welcome other opportunities for an in-depth exchange of views. END COMMENT.

¶16. (C) PM/PPA Donna Hopkins has cleared this message.

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